

Prob 12B

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

**PETITION TO MODIFY THE CONDITIONS OR TERM OF SUPERVISION
WITH CONSENT OF THE OFFENDER**

(Probation Form 49, Waiver of Hearing, is on file)

Offender Name: Lilia FLORES

Docket Number: 1:99CR005272-02

Offender Address: Bakersfield, California

Judicial Officer: Honorable Oliver W. Wanger
United States District Judge
Fresno, California

Original Sentence Date: 11-19-01

Original Offense: 21 USC 846 and 841(a)(1), Conspiracy to Distribute
and Possess With Intent to Distribute Cocaine and
Cocaine Base (CLASS A FELONY)

Original Sentence: Time served; 60 months TSR; mandatory drug testing;
\$100 special assessment

Special Conditions: 1) Search and seizure; 2) Financial disclosure; 3) No
pager/cellular phone without permission; 4) Mental
health counseling; 5) Register as a drug offender

Type of Supervision: Supervised release

Supervision Commenced: 11-19-01

Assistant U.S. Attorney: Kevin Rooney **Telephone:** (559) 497-4000

Defense Attorney: Mark Coleman **Telephone:** (559) 233-2333

Other Court Action:

06-01-04: The Court was requested to delete special condition
requiring drug registration due to releasee's offense
being a non-registerable offense.

RE: Lilia FLORES
Docket Number: 1:99CR005272-02 REC
PETITION TO MODIFY THE CONDITIONS OR TERM
OF SUPERVISION WITH CONSENT OF THE OFFENDER

06-02-05: The Court modified conditions of supervision requiring placement of releasee in a residential community corrections center for a period not to exceed 120 days for the use of marijuana and failure to report to the probation officer.

08-29-05: The Court modified conditions of supervision requiring placement of releasee in a residential community corrections center for a period not to exceed 120 days for previously leaving the community corrections center without permission.

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 1) The defendant shall reside and participate in a residential community correctional center, for a period not exceed 30 days; said placement shall commence as directed by the probation officer pursuant to 18 USC 3563(b)(11). The defendant shall pay cost of confinement as determined by the Bureau of Prisons.

Justification: On December 16 and 17, 2005, followed by February 10 and 11, 2006, Ms. Flores failed to provide urine specimens at the Turning Point, Bakersfield, drug aftercare program as directed. On both occasions Ms. Flores provided unacceptable excuses. The undersigned believes that a temporary stay in the community corrections center will allow Ms. Flores an opportunity to get back on track. Further, it will allow her to seek employment while continuing to drug test and participate in counseling at the facility. Ms. Flores has signed a Probation Form 49 - Waiver, agreeing to the modification and she has been informed that failure to test as directed in the future may result in a more restrictive recommendation.

RE: Lilia FLORES
Docket Number: 1:99CR005272-02 REC
PETITION TO MODIFY THE CONDITIONS OR TERM
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Respectfully submitted,

/s/ Thomas A. Burgess
THOMAS A. BURGESS
Senior United States Probation Officer
Telephone: (661) 861-4392

DATED: February 16, 2006
Bakersfield, California
TAB:dk

/s/ Rick C. Louviere

REVIEWED BY: _____
RICK C. LOUVIERE
Supervising United States Probation Officer

THE COURT ORDERS:

- (X) Modification approved as recommended.
- () Modification not approved at this time. Probation Officer to contact Court.
- () Other:

Feb. 22, 2006

Date

/s/ OLIVER W. WANGER

Signature of Judicial Officer

cc: United States Probation
Kevin Rooney, Assistant United States Attorney
Mark Coleman, Appointed Counsel
Defendant
Court File